

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DERRICK BUNKLEY)	
)	
Plaintiff,)	
)	Case No. 2:16-cv-11593-BAF-APP
v.)	
)	
CITY OF DETROIT, et al.,)	Judge Bernard A. Friedman
)	
Defendants.)	
)	
)	JURY TRIAL DEMANDED

PLAINTIFF'S AGREED MOTION TO SET A TRIAL DATE

Now Comes Plaintiff, DERRICK BUNKLEY, by and through his counsel, LOEVY & LOEVY, and respectfully moves to set a trial date in the above-captioned matter. In support thereof, Plaintiff states as follows:

1. In September 2017, this Court denied defendants' motion for summary judgment and ruled, among other things, that defendants are not qualifiedly immune for the conduct at issue in this matter. *See* Dkt. 82.
2. Defendants then filed an interlocutory appeal of that decision under *Mitchell v. Forsyth*, 472 U.S. 511 (1985). The decision of this Court as to the denial of qualified immunity was affirmed by the Appellate Court, and the remainder of the defendants' appeal was dismissed for lack of jurisdiction. The appellate mandate issued on August 29, 2018.

3. There is now no further discovery left to be completed and this case is ready to proceed to trial on the merits.

4. Given the foregoing, Plaintiff respectfully submits that the Court set a trial date and pretrial schedule at a hearing on this motion so that the litigation may be concluded with no further delay.

5. The parties conferred prior to filing this motion and agree that a trial date should be set and further agree that a date in the spring of 2019 (excluding the weeks of April 15-19 and April 22-26, 2019) would be convenient based on all counsels' current schedules.

6. At this time, the parties anticipate the trial taking five full trial days.

WHEREFORE, Plaintiff respectfully moves that this Court set a trial date in the above-captioned matter.

Dated: October 23, 2018

Respectfully Submitted,

/s/ Julie M. Goodwin
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I, Julie Goodwin, an attorney, hereby certify that I served the foregoing Motion on all parties of record on October 23, 2018 via the Court's CM / ECF filing system.

/s/ Julie M. Goodwin
One of Plaintiff's Attorneys